

FILED**TD****8/4/2022**THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURTUNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

DEWAYNE TUCKER

CASE NUMBER: 22 CR 386

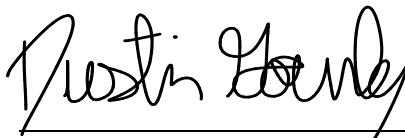
UNDER SEAL**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about January 3, 2022, at Chicago, in the Northern District of Illinois, Eastern Division, the defendant violated:

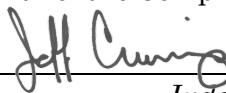
*Code Section*Title 18 United States Code, Section
2113(a)*Offense Description*

by intimidation, did take from the person and presence of a bank employee United States currency belonging to and in the care, custody, control, management, and possession of PNC Bank, located at 873 North Rush, Chicago, Illinois, the deposits of which were then insured by the Federal Deposit Insurance Corporation

This criminal complaint is based upon these facts:

X Continued on the attached sheet.DUSTIN T. GOURLEY
Special Agent, Federal Bureau of Investigation

Pursuant to Fed. R. Crim. P. 4.1, this Complaint is presented by reliable electronic means. The above-named agent provided a sworn statement attesting to the truth of the Complaint and Affidavit by telephone.

Date: August 4, 2022*Judge's signature*City and state: Chicago, IllinoisJeffrey I. Cummings, U.S. Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

AFFIDAVIT

I, DUSTIN T. GOURLEY, being duly sworn, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), and have been so employed since approximately April 2012. My current responsibilities include the investigation of violent crimes, including, among others, kidnaping, bank robbery, and the apprehension of violent fugitives.

2. This affidavit is submitted in support of a criminal complaint alleging that DEWAYNE TUCKER has violated Title 18 United States Code, Section 2113(a) by committing bank robbery. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging TUCKER with bank robbery, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe establish probable cause to believe that the defendant committed the offense alleged in the complaint.

3. This affidavit is based on my personal knowledge, information provided to me by other law enforcement agents who have knowledge of the events and circumstances described herein, law enforcement records, interviews of witnesses, my review of surveillance and body worn camera recordings, my training and experience, and the training and experience of other law enforcement agents.

I. FACTS SUPPORTING PROBABLE CAUSE

4. According to Chicago Police Department records, interviews with victims, and bank surveillance footage, on January 3, 2022, at approximately 1:15 p.m., a male (“ROBBER”) entered the PNC Bank at 873 North Rush, Chicago, Illinois.

5. Victim A, an employee of PNC Bank, identified the ROBBER as male and recalled first seeing him in the PNC Bank lobby talking to a colleague (“Witness 1”). Victim A approached the ROBBER and asked to help the ROBBER. The ROBBER stated something to the effect of, “I don’t want you to help me, I want her (gesturing to Witness 1)”. Victim A told the ROBBER that they did the same job and could help the ROBBER. The ROBBER then moved closer to Victim A, pulled out a note, a wrinkled piece of white cardboard type material that read “\$7,500, no die packs, no tricks” written in cursive. Victim A stood up to get the note, took possession of the note, and then informed Witness 1 of the note. The ROBBER subsequently asked for the note back. The ROBBER continued to have his hand in his pocket. Victim A believed the ROBBER was gesturing in his pocket as if he had a firearm. Victim A gave the note back to the ROBBER. Victim A told the ROBBER that the branch was not a typical bank,¹ but that Victim A could give the ROBBER what was in Victim A’s drawer. Victim A and the ROBBER then went to Victim A’s office and opened Victim A’s drawer. Victim A told the ROBBER that the cash was all that the Victim A had, and the ROBBER stated, “That’s not much”. The ROBBER reached into the

¹ This PNC location has one main check-in desk inside the lobby. Each teller has an individual office.

top drawer and grabbed cash and put it in his pocket. At some point, the ROBBER grabbed a \$20 bill from the second drawer and but then threw some ripped money back in the drawer.² Victim A described the ROBBER as a Black man between the ages of 21-25 years old, with medium brown complexion, brown eyes, a thin build, and approximately 5'9 to 6'0 tall. Victim A further described the ROBBER as having a green lightning bolt tattoo on the left side of his neck and wearing a black beanie, wearing all black clothing, possibly Nike gyms shoes, and a blue Covid-19 mask.

6. Witness 1, a full-time PNC Bank banker, reported that while helping a customer at the only teller desk, they³ observed the ROBBER enter the bank. Witness 1 greeted the ROBBER and told the ROBBER that Witness 1 would be with the ROBBER in just a minute. Witness 1 noticed the ROBBER seemed to be impatient. Witness 1 recalled Victim A coming out of Victim A's office in the back and offering to help the ROBBER. Witness 1 recalled that the ROBBER said something to the effect of "I want to wait for her", referring to Witness 1. The ROBBER then walked towards Victim A and handed over a note. Witness 1 recalled that Victim A showed Witness A the note and the note stated something to the effect of "\$7,500 no dye packs and no tricks". Witness 1 stated that they pressed the silent alarm, and then pressed the second silent alarm located under the teller desk. Witness 1 described the ROBBER as an African-American male, approximately 25 – 30 years old, approximately 5'9 – 6'0, wearing a black puffer coat, black beanie, and a mask.

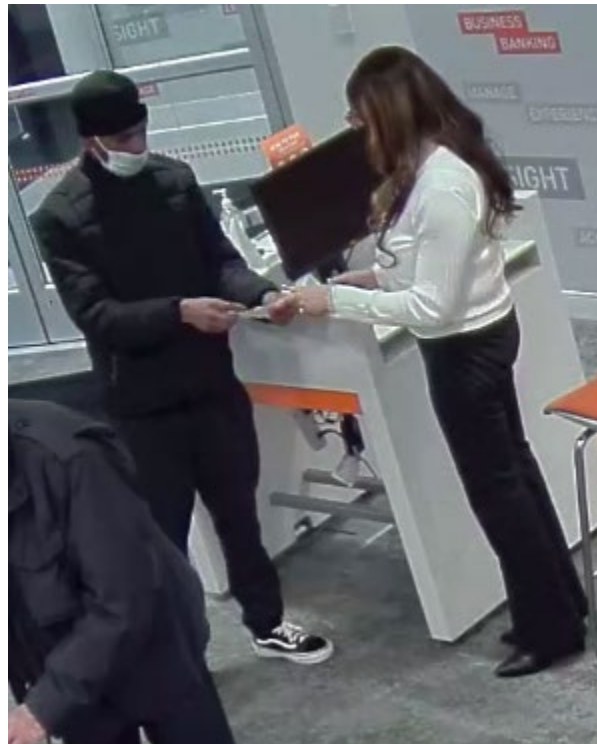
² ROBBER received these bills from the drawer. According to Victim A, it appeared that after he observed the paper was ripped, the ROBBER returned them to the drawer.

³ This criminal complaint refers to Victim A and all witnesses using gender neutral pronouns.

7. According to an audit by PNC Bank personnel, the ROBBER stole approximately \$1,242 from the bank.

8. The FBI received surveillance footage from PNC Bank. The following screenshots are from the surveillance footage, which depict the bank robbery:





9. According to information available from the Federal Deposit Insurance Corporation, PNC Bank's deposits were insured by the Federal Deposit Insurance Corporation at the time of the bank robbery.

A. *FBI Canvass and Recovery of Black Hat*

10. The FBI canvassed neighboring businesses for surveillance footage, and determined that the ROBBER traveled on foot southbound on Rush Street, then east onto Chestnut. He continued eastbound on Chestnut and then through an alleyway a North Ernst Court. The ROBBER continued eastbound through the alley between The Whitehouse Hotel and the Selina Chicago Hotel. FBI next observed the ROBBER in footage from the 4th Presbyterian Church, where the ROBBER is observed jumping the fence onto the property, traveling through the property of the 4th Presbyterian Church, now wearing a red top and a different hat.

11. As captured in surveillance footage from 111 East Chestnut, the ROBBER continued on foot east-bound on East Chestnut, now wearing a red shirt. The ROBBER continued on foot eastbound on Chestnut, across Michigan Avenue, and at 875 North Michigan, Chicago, IL, the ROBBER continued eastbound across Michigan Avenue, and boarded a northbound Chicago Transit Authority ("CTA") bus at the southeast corner of Michigan and Chestnut.⁴

12. Screenshots from the reviewed surveillance videos are included below:

⁴ Footage from the CTA bus could not be obtained.

1. 50 East Chestnut, Chicago, IL –ROBBER observed traveling on foot southbound on Rush Street, then east onto Chestnut



2. 111 East Chestnut, Chicago, IL – ROBBER observed traveling eastbound on foot on Chestnut, and then through the alleyway (North Ernst Court)





3. Whitehouse Hotel, 105 East Delaware – ROBBER continued eastbound from North Ernst Court through the alley between The Whitehouse Hotel and the Selina Chicago Hotel



4. Fourth Presbyterian Church, 126 East Chestnut – ROBBER is observed jumping the fence onto the property, traveling through the property of the 4th Presbyterian Church, now wearing a red top and a different hat





<p>5. 111 East Chestnut – ROBBER observed now wearing red top, continuing on foot eastbound on East Chestnut</p>	<p>6. 840 North Michigan – ROBBER continues on foot eastbound on Chestnut, across Michigan Avenue</p>
	
<p>7. 875 North Michigan – ROBBER continues eastbound across Michigan Avenue, and boards a northbound Chicago Transit Authority (“CTA”) bus at the southeast corner of Michigan and Chestnut</p>	
	

13. The FBI walked the route taken by the ROBBER, and, on the premise of the Fourth Presbyterian Church, located at 126 East Chestnut Street, discovered a small, fenced-in space on the southeast corner of the parking lot, next to a

playground. In the fenced-in space, FBI observed footprints in the snow, and a black winter hat that appeared similar to the one worn by the ROBBER during the bank robbery. FBI recovered the black hat.

B. DNA Recovered from the Hat Matched a CODIS Hit for TUCKER

14. On January 13, 2022, the FBI requested that the black hat be sent to the FBI Laboratory for analysis.

15. On June 27, 2022, the FBI Laboratory issued a report that stated that male DNA was obtained from the black hat, which originated from one individual and was suitable for comparison purposes. Additionally, the report stated that the DNA results were to be entered into the Combined DNA Index System (CODIS).

16. On July 11, 2022, the FBI received information from FBI Laboratory personnel of a DNA-CODIS hit on the swabs from the black hat, which resulted in the below identification:

Name: Dewayne L. Tucker

FBI#: 522881CD4

Last Known Location: United States Probation Office – Chicago, IL

C. TUCKER's Previous Federal Conviction for Bank Robbery

17. On March 12, 2015, the FBI arrested TUCKER for bank robbery, an incident that occurred on March 11, 2015 at BMO Harris Bank, 1638 Maple Avenue, Evanston, Illinois.

18. On March 17, 2016, TUCKER pleaded guilty in the District Court for the Northern District of Illinois to committing three bank robberies, while stipulating

to committing an additional three bank robberies. *United States v. Tucker*, 15 CR 126 (J. Leinenweber).

19. On February 28, 2017, Judge Harry D. Leinenweber sentenced TUCKER to seventy-eight months incarceration, and three years of supervised release. TUCKER began his term of supervised release on May 4, 2021.

20. As a part of the booking process for the March 11, 2015 robbery, the following booking photographs were taken of TUCKER:





TUCKER's Interaction with the CPD 6 days after PNC Bank Robbery

21. On January 9, 2022, six days after the PNC Bank robbery, according to Chicago Police Department (CPD) reports, CPD responded to a report of a person trespassing on the 15th floor at the Renaissance Hotel, 8500 Bryn Mawr Avenue, Chicago, IL. CPD personnel arrived to the hotel and a Renaissance Hotel staff member ("Witness 2") informed them that a trespasser, later identified as DEWAYNE TUCKER, had been walking up and down the hallways and knocking on multiple guestroom doors. TUCKER told the CPD personnel that he came to the hotel to visit his friend, a hotel guest. Witness 2 stated, in summary, that non-guests are allowed to be inside the hotel if they are visiting a guest. Witness 2 asked TUCKER for the hotel guest's name and room number. TUCKER provided the name "Cortez" and Room Number 724. The hotel confirmed that no one with the name "Cortez" was registered as a guest lodged in room 724 or any other room of the hotel. CPD

personnel informed TUCKER that he needed to leave the hotel if he was not staying there as a guest and if he was not visiting a registered guest of the hotel. TUCKER left. CPD personnel then left the hotel, canvassed the area, and found TUCKER at the Cumberland CTA blue line station where they arrested him and issued an ordinance complaint.

22. CPD personnel who responded to the hotel wore a body worn camera (BWC), which recorded the incident. Screenshots of TUCKER from the body worn camera footage appear to show TUCKER wearing the same, distinct, black and white shoes, as the ROBBER in the January 3, 2022, PNC Bank robbery.

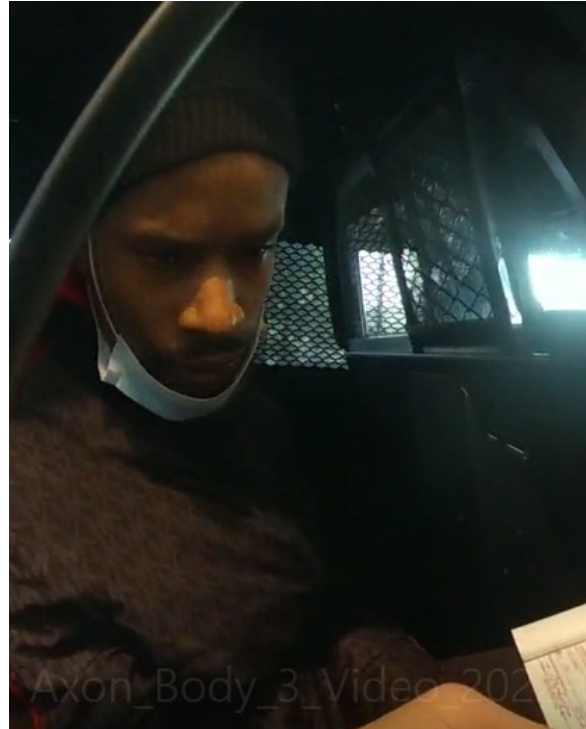


23. TUCKER is also observed on the CPD body worn camera footage wearing a red hoodie under his coat similar to the one the ROBBER is depicted wearing during his January 3, 2022, flight from the PNC bank.



Physical Comparison of ROBBER to DEWAYNE TUCKER

24. FBI compared images from January 3, 2022, PNC Bank surveillance footage of the ROBBER to (1) March 12, 2015 booking photographs of TUCKER, (2) March 29, 2016, Bureau of Prisons intake photograph; (3) August 18, 2021, State of Illinois Secretary of State Driver's License photograph and (4) January 9, 2022, body worn camera footage depicting TUCKER. TUCKER's physical characteristics are consist with that of the ROBBER.



25. At the time of his 2015 arrest, TUCKER is identified as being 5'11 and 140 lbs. At the time of his January 9, 2022, arrest, TUCKER is identified as 5'11 and 135 lbs. Victim A described the ROBBER as being 5'9 to 6'0 with a thin build.

26. Victim A described the ROBBER as having a “green lightning bolt tattoo” on the left side of his neck. Booking photographs of TUCKER reveal that TUCKER has a unique tattoo on the right side of his neck, which appears to be green or have a green tone to it, as depicted below:



II. CONCLUSION

27. Based on the foregoing facts, I respectfully submit that there is probable cause to believe that, on or about January 3, 2022, DEWAYNE TUCKER robbed the PNC Bank, 873 North Rush, Chicago, Illinois, the deposits of which were then insured

by the Federal Deposit Insurance Corporation, in violation of Title 18, United States Code, Section 2113(a).

FURTHER AFFIANT SAYETH NOT.

A handwritten signature in black ink, appearing to read "Dustin Gourley", written over a horizontal line.

DUSTIN T. GOURLEY
Special Agent, Federal Bureau of
Investigation

SUBSCRIBED AND SWORN by telephone on August 4, 2022.

A handwritten signature in black ink, appearing to read "Jeff Cummings", written over a horizontal line.

Honorable Jeffrey I. Cummings
United States Magistrate Judge